

INTERNET COMPLAINT RECEIVED BY THE ATTORNEY GENERAL'S OFFICE ON 01/14/2019

Harvey Garlotte
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Hattiesburg, MS, 39402

Phone: (601) 866-6629
Email: hfgs1b3@yahoo.com

Name/Firm/Company: Brian Kolfage / WeBuildTheWall, Inc
Subject/Category: Fraudulent Fund Raising
Street Address: 2990 Bay Villas Court
City: Miramar Beach, FL 32550 Okaloosa
Website: <https://www.gofundme.com/thetrumpwall>

Questions/Comments:

Mr. Kolfage knew when he started the Buid The Wall GoFundMe Page that he was going to convert the funds to a private corporation. He was previously in contact with the Border Wall Foundation and knew that the money could not be given to the US Government for the stated purposes. He also now claims that his newly formed corporation is 501(c)(4) tax exempt certified. This is not so and it is doubtful if it will ever be. He also claims that individuals named are on the newly formed corporations board of directors. They are not. He is the president and only board member. He has and continues to deceive and mislead the general public to receive donations.

INTERNET COMPLAINT RECEIVED BY THE ATTORNEY GENERAL'S OFFICE ON 05/15/2019

gregory brino
55 fairview drive
East Hanover, NJ, 07936

Alachua
Email: curare1081@aim.com

Name/Firm/Company: Brian Kolfage
Subject/Category: Fraud/Deception
City: Miramar, FL Broward

Questions/Comments:

This fraud needs to be shut down and audited immediately. There's too much money, and too much recently reported fraud, which was obvious from the start. As AG in Florida you have the responsibility and jurisdiction to investigate and shut this down and ask for an injunction on the \$20 million + interest this man holds which seems to be a fraud enterprise. And you need to move fast before he diverts more money allegedly. <https://www.gofundme.com/TheTrumpWall>
<https://hillreporter.com/head-of-border-wall-crowdsourcing-campaign-allegedly-diverted-money-to-fund-his-own-lavish-lifestyle-35357>

Wendy Tien
1146 Randolph Avenue #9
Saint Paul, MN, 55105

Phone: (202) 412-3265
Email: wendytien6946@gmail.com

Name/Firm/Company: We Build the Wall, Inc.; Brian Kolfage
Subject/Category: Nonprofit Entities/Consumer Fraud
Street Address: P.O. Box 131567
City: Houston, TX 77219-1567
Website: <https://webuildthewall.us>

Questions/Comments:

Dear Attorney General Moody: I am writing to express my concerns about an entity called We Build the Wall, Inc., which holds itself out as a Florida nonprofit corporation. By way of full disclosure, I am an Assistant Attorney General with the Minnesota Office of the Attorney General, working in the Tax Litigation Division. I am writing in my personal capacity. As you may know, an individual known as Brian Kolfage, on information and belief a Florida resident, commenced a GoFundMe campaign on or about December 19, 2018 to raise private contributions for donation to the federal government to build a barrier wall with the southern border of the United States. That campaign was located at <https://ca.gofundme.com/TheTrumpWall>. Mr. Kolfage raised approximately \$20 million before, according to widely reported news, he learned his contributions might have to be refunded because they did not reach his \$1 billion goal. See, e.g., <https://www.npr.org/2019/01/12/684852688/more-than-20-million-crowdsourced-for-border-wall-will-be-refunded>. Following that refund determination by GoFundMe, as reported by various news accounts (as NPR above), it appears Mr. Kolfage changed his plans and sought to redirect the donations to a nonprofit entity he formed for the purpose of building the wall. Public representations concerning the entity's nonprofit status may be found on its GoFundMe page, where it specifically asserts "we have formed a Section 501(c)(4) non-profit Florida Corporation named "We Build the Wall, Inc." to receive the GoFundMe contributions." That link is still located at <https://ca.gofundme.com/TheTrumpWall> but has been updated. The GoFundMe page also states "The Articles of Incorporation and Mission Statement of We Build The Wall, Inc. make delivering on my promise to get a wall on the southern border built the clear objective and purpose of the organization." A search of the Florida Secretary of State business organizations site provides no evidence that We Build the Wall, Inc. has filed articles of incorporation with the Secretary of State as required by chapter 617 of the Florida Statutes. It also seems unlikely, given the procedure for obtaining tax-exempt status from the IRS (and the current shutdown), that the entity has obtained 501(c)(4) status from the IRS, as represented on the GoFundMe page. Accordingly, the content of the page, which actively solicits "donations" and urges contributors to Mr. Kolfage's previous GoFundMe campaign to opt into this campaign no fewer than six times, may be misleading or even fraudulent. As noted above, Mr. Kolfage's fundraising campaign has been widely reported and has raised substantial funds. Mr. Kolfage claims he has received a high rate of "opt-in" to his new campaign. Furthermore, the ostensible "nonprofit" and "501(c)(4)" status of We Build the Wall, Inc. is being widely reported by the news media, even though this appears not to be the case. As an Assistant Attorney General, particularly one with an interest in the administration of the tax laws, I am concerned this high-profile fundraising effort is obtaining widespread press on the basis of potentially or intentionally misleading representations. I ask your Office to consider reviewing this possible misrepresentation regarding Florida nonprofit entity status for the benefit of the public. Yours sincerely,
Wendy S. Tien